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WHEN INDICATIONS-SUNDAY-Fair weather.

ALL EYES TURNED TOWARD IT.

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All Light-Weight Clothing 1-5 Off. Light, Stiff and Soft Hats, 1-4 Off. Straw Hats, 1-3 Off.

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HERE'S ELIXIR OF LIFE,

And it has been tried, and not found wanting. It is not a fad—the newest craze—the something that is always coming into sight, and engaging the attention, like the blue-glass craze, the Christian Science silliness, the blood drinking foolishness, or the ram-lamb-or-mutton idiocy. Our old reliable elixir don't require the sacrifice of a life. Not even the fatted calf is required to be killed, when our treatment has done its work. All over this country Nature is pouring forth from the earth her remedies; life-giving fountains send to the earth's surface panaceas for all the ills man is heir to. Among the grand mountain ranges of this great country are located nature's sanitariums, surrounded by grand scenery, and in an atmosphere so pure, so rare, that each cool breeze comes laden so pure, so rare, that each cool breeze comes laden with comfort for the well and health for the sick. All along the Atlantic coast, from Novia Scotia to Key West, comes wafting in from the blue sea an elixir that knocks the ram-lamb remedy silly. Over the high plateaus of Texas and New Mexico there is an high plateaus of Texas and New Mexico there is an atmosphere that would make an Indian cigar-sign get off his perch and go scalp-hunting. The baimy breezes of the Pacific coast, from Victoria, B. C., to Lower California, are health-laden. The Rocky mountains, from New Mexico to Montana, becken the sick to health and strength. The pine forests of the great lake region, with their resinous perfumes, in restful solitudes, offer you fish and flesh. The White, the Adirondacks, the Catskill, Blue Ridge and Alleghany mountains, are one great sanitarium from the St. Lawrence river to Atlanta, Ga. All over this broad land are whole regions of clixir of life; it comes from the center of the earth, and reaches away up into the etherial blue of the heavens, and it is free—free for all—you don't even have to kill a lamb to get it. The newspapers don't speak of it, except at so much per line, paid for just as this good advice is paid for. No doubt it would be just as good reading to fill the papers with, as to devote columns of slush to the ram cure. One thing sure, they would not run any risk of being humbugged, and allow their readers to be through in their information. Of course the papers won't tell you how to get these clixirs. That be through in their information. Of course the papers won't tell you how to get these clixirs. That would be advertising the Big 4 routes, for they are all on this road. Well, all right; we are willing to pay the papers for telling how to get to the clixir. Just make up your mind what particular brand of clixir you want, then go to the nearest Big 4 office and secure a ticket. It is a sure cure, and not an experiment.

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Furniture, Carpets and Stoves

Of the latest designs. It will pay you to call and examine our stock and prices before buying. No trouble to show goods. Everything new and first class. On payments at cash prices, or a discount for cash.

SANGUINARY POLITICAL WAR

"Jaybirds" and "Woodpeckers" Try Conclusions with Rifles in Texas.

Riot Ruled Supreme, and People Fled for Their Lives-Three People Killed and Several Wounded-Militia Ordered to the Scene.

Austin, Tex., Aug. 17 .- The-long-looked for outbreak between the contending political factions in Fort Bend county commenced at Richmond, the county-seat, last night about dark. The larger part of the people of Fort Bend county are divided into two political factions known as the "Jaybirds" and the "Woodpeckers." The former is composed of whites, who are straight Democrats, numbering about four hundred, and the latter includes the negroes and a few white Democrats, who are said to have joined them in order to get office. The "Woodpeckers" are in a large majority. The trouble grew directly out of the arrest of a "Jaybird" who walked through town with a Winchester rifle on his shoulder. and although he did nothing else, he was arrested and put in jail. Shortly after this firing began. A scene of indescrible horror and excitement reigned in the town of Richmond, from which people were flying in every direction to save their lives.

While it does not seem that more than a few persons were engaged on either side, some seventy-five shots were fired in rapid succession, and Sheriff Garvey and J. W. Blakely, a prominent planter, were killed, while J. W. Parker, Representative, and H. S. Mason, deputy sheriff, were wounded, the later being one of the "Woodpecker" party. H. H. Frost, V. M. Gibson and William Andrus, of the "Jaybird" party were slightly injured. A negro girl was also killed, and one of the four State Rangers who were in the town was wounded accidentally. In-tense excitement prevailed during and after the fight, but reports say everything was quiet at midnight. The Houston Light Guard, twenty-four strong, left that city about 1 o'clock this morning for the scene of the disturbance. Dispatches have been received by Governor Ross, this morning, stating that everything is now quiet at Richmond. Troops at Branham and other places have been ordered to hold themselves

in readiness to move at a moment's notice. A special from Richmond says: Since the fighting last evening in the streets here, things have been supremely quiet. It is the lull after the storm which lasted a whole day and night. The county officials, who are among the "Woodpeckers," retreated to the court-house carrying their wounded and still occupy it, supported by the Houston Light Guard, who arrived here about 3 o'clock this morning, twentyfivest rong. The wounded in the court-house are Judge J. W. Parker, now a member of the Legislature, and deputy sheriff Mason, shot badly through the shoulder. One ball entered beneath the shoulder blade of Judge Parker and another through the groin. The latter is the more dangerous wound. The bodies of Sheriff Jas. Garver and ex-Sheriff Blakely are still being held, there being no proper officer here to hold

The military will preserve the peace but the "Jaybirds" are in possession of the streets, and no warrants have been sworn New York Furniture Co.

New York Furniture Co.

Streets, and no warrants have been sworn out, nor arrests made. Henry Frost a leader of the "Jaybirds" also was shot down on the streets last night with four bullet wounds, and is fast sinking. The "Jaybirds" are undoubtedly prepared for trouble at any moment, while the opposition has materially weakened by the loss of two of their leaders. There is a panic among the people here, chiefly the negroes. Ayer's Pills.

One-half square south of Washington st.

to-day, never to return. It has frightened them badly. Volney Johnson, one of the "Jaybirds" who led the fighting was shot in the jaw with a Winchester rifle, and the ball is now somewhere in his neck, but he is on the streets this afternoon ready for any

Sheriff Blakely with his Winchester. Govenor Ross is expected to-night.

Fatal Boiler Explosion.

Special to the Indianapolis Journal. ROCKVILLE, Ind., Aug. 17 .- The boiler in the saw-mill of M. M. Murry & Co., at Marshall, blew up this morning. Matthew Young, the engineer, was killed, and Daniel McCall had an arm broken. while several others were scalded and badly shaken up. The engine-house lies north of the building, which fronts east and west, and the boiler passed through the building, barely miss-ing the head sawyer and striking the office where the book-keeper was making out his pay-roll, knocking him down and bruising him. When the book-keeper was found he was dazed, and it was some time before he could remember anything. After going through the office the boiler was found in the road, about 200 feet from where the explosion took place. No cause can be assigned for the explosion, as the boiler was new and made of government-test steel.

Bold Pickpockets at a Soldiers' Reunion.

Special to the Indianapolis Journal PERU, Ind., Aug. 17 .- Five thousand people attended the annual reunion of the soldiers of Miami and adjoining counties, at Denver, to-day. The meeting was one of the largest ever held The speakers of the day were Revs. Charple and Delp, of Denver; J. Butler, of Rochester; T. McNell, of Tiosa, and ex-Vice-commander Daly, of this city. The dense crowd and small police force afforded ample scope for pickpockets twenty-four of whom worked together, boldly fleecing many victims out of many hundreds of dollars, and in several cases forcibly holding them up in the main street.

Refused the Franchise.

Special to the Indianapolis Journal KNIGHTSTOWN, Ind., Aug. 17 .- At the regular meeting of the City Council, last night, a lively time was had over the granting of the privilege to the Consumers' Gas Company to lay mains in the First, Second and Third wards. A heated debate ensued, in which the councilmen, mem-bers of the old and new companies, and other citizens took part, after which a ballot was taken, which resulted in a refusal of the privilege by a vote of four to three.

Ba-ad Man from Kaintuck.

Special to the Indianapolis Journal. GREENSBURG, Ind., Aug. 17 .- A. G. Montgomery, a Kentuckian of the vicinity of New Pennington, this county, was arrested last night and put in jail for assaulting Michael Powers and Jule Harding. When arrested he had two large knives on his person, one with a blade twelve inches long.

No Corner in Diamonds. New York, Aug. 17.—The rumor of a corner in diamonds, reported from London, was generally discredited among the leading jewelers today. One of the most prominent merchants said that it was impossible to make a corner, as the capitalists owned only the big diamond mines, while the smaller mines, producing equally as good stones, would sell at a fair price and force the big concerns on the market. The slight increase in price is attributed to the fact that nearly all the fine gems have been sent to the

Paris Exposition.

Of Course Not. CHICAGO, Aug. 17.—The photograph sent by Sheriff Sanchez, of Laredo, Tex., of the man un-der arrest there on suspicion of being Tascott, the murderer of millionaire Snell, of this city, has been received. The Texas prisoner is not Tascott. The picture does not at all resemble him.

HEADACHE, costiveness and piles are thoroughly cured by a judicious use of

STRENGTH OF THE ALLIANCE

Bismarck Has Formed the Most Powerful Coalition Ever Known in Europe.

Its First Move Is to Take Sides with Italy in Its Fight with the Vatican and Withdraw Austria's Support from the Pope.

It Means War Against France and Russia, Despite Peaceful Protestations.

Reception of Mr. Carlisle in Mexico-The Round of Royal Visits-Belief that Mrs. Maybrick Will Ultimately Be Pardoned.

POWER OF THE ALLIANCE. Its First Move Is to Withdraw the Support

of Austria from the Pope. [Copyright, 1889, by the New York Associated Press] BERLIN, Aug. 17 .- While the Emperors have been holding receptions, reviewing troops and performing the decorative rites associated with imperialism, some momentous practical work has been done by the diplomatic and military chiefs of the alliance. Prince Bismarck's prolonged conferences with Count Kalnoky and Count Szecheny embraced questions relating to Servia and Bulgaria and the threatened disturbance of amity between Austria and Italy over the position of the Papacy.

Emperor Francis Joseph's friends' hurrah for the Pope, and his recent personal pledges to prevent the Italian government encroaching upon the Vatican, combined with Signor Crispi's openly expressed resentment at Austria's interference, appeared to make Prince Bismarck's efforts

toward restoring the entente difficult. With his usual tact and good luck, the Chancellor has arranged the quarrel at the cost of the Vatican. Emperor Francis Joseph, whose individuality, never strong, has been evidently weakened by his recent afflictions, has submitted to Count Kalnoky's representations and abandoned independent support of the Pope. As soon as Kalonoky secured a free hand to renew the entente with Italy, he threw the weight of Austria's influence on the side of the Crispi policy in order to stop the Pope's negotiations looking to his leaving the Vatican. Count Dubsky, the Austrian minister to Madrid, was instructed to advise the Queen regent and the government against encouraging the Pope to seek an asylum in Spain. The Austrian minister to the Vatican at the same time was ordered to recommend the Pope to rely on the friendly intentions of King Humbert. Count Dubsky's communications have not been well received in Madrid, but in the face of Austria's desertion, the Pope's departure from Rome is impossible. Signor Crispi, encouraged from Berlin, has sent the officials of the Vatican private hints that the Italian government would not permit papal treasure or Vatican art objects to leave Rome. It could not prevent the Pope's personal departure, but the contents of the Vatican must remain. Prince Bismarck must have counted the cost of his unfriendly diplomacy toward the Vatican, balancing the increased Centrist hostility against the weakening of the triple alliance. He preferred an intensified feud in the Center party to the risk of losing Italian co-operation. has been evidently weakened by his

Von Waldersee and War Minister Du Ver-Von Waldersee and War Minister Du Vernois, resulted in a military convention, which, associated with the Italian convention, completes the plans for naval and military combinations in the event of war.

Although no official warrant is given for the reported absorption of England into the alliance, the language of the semi-official press justifies the inference that the British government has agreed that their naval and military forces will co-operate with those of the alliance in repressing any wanton disturbance of the European peace.

The question now becomes prominent how the league will use its tremendous strength. Russian papers, recognizing the

how the league will use its tremendous strength. Russian papers, recognizing the formidable character of the league, predict that Bismarck, having formed the mightiest coalition ever seen, will hasten to settle scores with Russia and France. The leading official organs of Berlin and Vienna breathe a language of general good will. The North German Gazette rejoices over the strength of Italian forces, and its ability to meet any eventuality from the east or west. The Fremdenblatt trusts that permanent peace is secured, and boasts on the streets this afternoon ready for anything that may arise.

A distressing feature is the arrival here of relatives of parties who have been killed or badly wounded. A squad of regular State Rangers was here yesterday but powerless to check the fight, though they made every effort to do so. One of their number, private Smith, was badly shot through the thigh. It is said that Henry Frost, a "Jaybird," after he was shot down, raised himself on his arm and killed exsheriff Blakely with his Winchester. Govthat the allied powers are ready to face any emergency. Sensational rumors of a general disarmament pervade diplomatic circles. The Emperor's visit to Strasburg, it is expected, will be signalized by some declaration relating to peace or war. It is said the Emperer will announce a project for a limitation of European armaments, threatening, as an alternative, a general war. Facts, however, do not accord with this expectation.

The spirit of militarism was never stronger in the Emperor and imperial circle. It is more likely that the Emperor's speeches at Strasburg and Metz will be outspoken warnings to France to cease nursing dreams of revenge.

No note of peace was heard in his brief utterance yesterday at the banquet of the First Dragoon Guards in celebration of the anniversary of the battle of Mars la Tour; in which the regiment distinguished itself by a brilliant charge. After Prince Al-brecht had proposed the health of the Queen of England as honorary chief of the regiment, the Emperor, drinking to the regiment, said that if fortune called the German army to operate on the same field he was sure of victories rivaling in lustre its former achievements.

CARLISLE IN MEXICO.

He Is Cordially Received and Makes a Speech Expressive of International Friendship. CITY OF MEXICO. Aug. 17.-A reception was given in honor of the Hon. John G. Carlisle, by the Joint Permanent Committee of Congress, at the Chamber of Deputies, Thursday night. At 8 o'clock Mr. Carlisle was met by the committee and escorted through the brilliantly -illuminated chamber to President Diaz. Mr. Carlisle spoke for half an hour. Among other things

As a citizen of the United States, speaking what I believe to be the sentiment of my countrymen in all parts of the Union, I sincerely hope that Mexico may continue to prosper and grow until the highest aspirations of her most pa-triotic citizens are fully realized. Certainly we can have no interest in obstructing your progress. On the contrary, our own prosperity will be greatly promoted by the rapid and continuous growth and development of your country, and we will rejoice with you in the success of every enterprise that increases her wealth or power. If there be any among you who think that the United States desires to deprive you of any part of your territory, by purchase or otherwise, they are entirely mis-taken. While there may be individuals here and there who, for private reasons, desire to see the jurisdiction of the United States extended over some parts of your territory, there is no public sentiment to sustain them, and no disposition whatever on the part of the government to en-encourage their projects. We do not want your territory, but we do want your trade and friend-ship. We want to see the closest commercial re-lations established and maintained between these two great North American republics, so that by an easy interchange of products they may increase the comforts of their people and contribute to the prosperity of each other. It is commerce mainly that unites the nations and keeps the peace of the world, and these two re-publics, separated in part by a small stream, and in part only by an invisible line, cannot afford to maintain arti-ficial barriers and prevent their citizens from enjoying that trade and entercourse with each other which are essential to the preservation of friendly relations. If our neighbor sells us at a fair price what we want to purchase, and buys from us at a fair price what we want to sell, it is not probable that we will quarrel with him on trivial grounds. But whatever our commercial relations may be in the future, it is to be earnestly hoped that the friendly feeling now existing

between the people of the two countries may al-Mr. Seroyo Deana, President of the Joint Permanent Committee of Congress, replied in Spanish. He complimented the United States highly, and said to Mr. Carlisle:

The pemanent chairman in the recess of the legislative chamber of this republic, congratulates itself upon receiving you, upon hearing from the lips of a statist so prominent in the grand fatherland of Washington, the favorable opinions that do justice to Mexico. May our relations of friendship and commerce continue to be close and cordial, and may your stay in this land be pleasant to yourself, and leave lasting and satisfactory impressions in your mind.

MRS. MAYBRICK'S FATE.

Belief Current That She Will Be Reprieved and Pardoned-Flooded with Suggestions.

Special to the Indianapolis Journal.

LONDON, Aug. 17.-The belief is now almost general that Home Secretary Matthews will grant Mrs. Maybrick a reprieve, and, after a reasonable lapse of time, pardon her. This belief is based on the theory that an immediate pardon would cover Justice Stephen with confusion and in a great degree impair public confidence in the jury, while a suspension of the death sentence, as the result of deliberations in which Judge Stephen took part, would be eminently satisfactory to everybody, and the unfortunate woman's pardon would scarceunfortunate woman's pardon would scarcely cause surprise and certainly not regret.

The great pressure brought to bear on the
Home Office for the exercise of elemency in
the case of Mrs. Maybrick has turned loose
a flood of correspondence teeming with
suggestions designed to affect future cases
of the kind. Among the letters is one written by the Master of the Rolls to the Times,
wherein that functionary suggests the creation of an appeal court, composed of seven
judges, whose duty it shall be to revise
every conviction of the crime of murder,
with full and final power to quash, confirm
or modify sentences.

More About Mrs. Yapp. NEW YORK, Aug. 17 .- Mr. Macklin, of Roe Macklin, the American lawyers acting in the interest of Mrs. Maybrick, the condemned woman in England, has received the following letter: "PROVIDENCE, R. I., Aug. 16, 1889.

"Messrs. Roe & Macklin:

"Gents—Noticing from the morning papers that Mrs. Yapp was one of the principal witnesses against Mrs. Maybrick on her trial, I deem it my duty to suggest that if she is the same person who testified in the case of Melvin vs. Daine Kate Wheeler, in June, 1885, that she is a person unworthy of belief. She was then thirty-five years of age, the wife of Thomas Yapp, then in the employ of the Grand Trunk railroad in Montreal. Her maiden name was Margaret Eleanor Wainwright. She undertook the part of a female detective, and made a most miserable failure at it. If Mrs. Maybrick was convicted by the evidence of witnesses such as Mrs. Yapp it is a monstrous outrage upon the principles of justice, and she ought to be entitled to a new trial. I was one of the counsel for Mrs. Smith, and prepared her defense. You will pardon the liberty I take in writing you. Yours truly,

"Frank S. Arnold."

Mr. Macklin cabled the contents of the above letter to Mrs. Maybrick's English lawyer.

MOVEMENTS OF ROYALTY. Emperor William's Tour Through the Prov-

inces-The Czar's Visit to Berlin. [Copyright, 1889, by the New York Associated Press.] BERLIN, Aug. 17 .- The Emperor and Empress will remain at Bayreuth until Tuesday. To-day they heard "Der Meistersinger," and to-morrow they will attend

the performance of "Parsifal." Count Von Waldersee and General Duvernois will accompany their Majesties to Strasburg. Prince Von Hohenlohe, the Governor of Alsace-Lorraine, is preparing to give his imperial visitors a grand reception. The students and Alsatian peasant girls will participate, and twenty burgomasters from the chief towns of Alsace-Lorraine will be present. A recep-Alsace-Lorraine will be present. A reception will be held in the palace on Wednesday. This will be followed by a review, a state dinner, municipal fetes and illuminations. A hearty and spontaneous welcome is certain in Strasburg, which is now Germanized. The imperial party is timed to reach Metz on Aug. 23. There will be no ovation there. The French, who are dominant, rigidly taboo the Germans. The Emperor designed to visit the Duke of Meiningen, at Liebenstein, on the way back here. The Duke's morganatic marriage with the actress Franz, now Freie Frau Von Heldburg, prevents the visit.

The Czar's advent is still doubtful. The

The Czar's advent is still doubtful. The Emperor will remain in Berlin from Aug. 25 to Sept. 5, when he will start on a tour to witness the maneuvers. The Czar may postpone his visit until returning from Copenhagen. Confusion has arisen from the changes in the Czar's hamors, and the Emperor's programme has been settled, irrespective of the Czar's programme.

GENERAL FOREIGN NEWS.

Official Documents of the Black Diamond Seizure Before the Canadian Cabinet. OTTAWA, Ont., Aug. 17.-Mr. Bowell, Minister of Customs, to-day received by mail the expected official reports of the seizure of the British vessels in the north Pacific by United States cruisers and revenue cutters for alleged violations of United States laws in United States waters. These papers, it is understood, show that such seizures, as far as they relate to ships regis-tered in Canadian ports, were effected outside of the marine jurisdiction of the United States, and are therefore unjustifiable and entitle the owners and crews to compensation for any loss that may have been suffered. Mr. Bowell laid the papers before the Council of Ministers this afternoon, by which they were discussed. Copies will be forwarded to the imperial authorities for communication of the result and claims in due course, through the regular diplomatic channels, to the United

Missionaries in Danger.

States government.

Special to the Indianapolis Journal LONDON, Aug. 17 .- A German missionary stationed at Bogomayo, opposite Zanzibar, in a let ter received here to-day, states that the operations of Wissmann have completely exasperated the natives against the whites indiscriminately. Hitherto the English and French missionaries, especially the latter, have been respected. Now Bushire, the Arab leader, has come to believe that these men are only spies on behalf of the Germans, and the missionaries are apprehensive for their stations in the interior. If Wissmann continues his operations it is to be feared that the natives will wreak vengeance on any whites within their reach. within their reach.

German Royalty at Bayreuth. BAYREUTH, Aug. 17 .- The Emperor and Empress of Germany met with a royal welcome on their arrival here, the people turning out en masse and greeting the distincuished visit-ors with demonstrations of unbounded enthusi-

Cable Notes.

Advices from Bosnia report that severe shocks of earthquake have been felt in Jablanica. The dates for the international grain and seed market at Vienna have been fixed for Aug. 26

Dispatches from the scene of operations in the Soudan state that the friendly tribes have The veteran associations of Lorraine are making arrangements for a brilliant reception to the imperial party upon the occasion of its visit to

General Boulanger has issued another manifesto. His latest effort is addressed to "The honest people," and declares that it was the Senate chamber that procured his conviction. It has been arranged to turn the firm of A. 8. Mitchell, the largest textitle manufactory in the world, into a company. Mitchell Henry will be

at the head of the new establishment. M. Constans, Minister of the Interior, has issued a decree which prohibits the hawking or pla-carding of documents emanating from General Boulanger, Count Dillon or Henri Roheforte.

Assaulted His Wife with an Ax.

Special to the Indianapolis Journal GREENSBURG, Ind., Aug. 17. - Taulton Broadus, living in the west end of town, assaulted his wife Bettie, last night, with an ax, and if neighbors had not interfered he would probably have killed her. He has been drinking heavily of late. He is pow in jail, making the eighteenth prisoner awaiting the action of the Circuit Court two weeks hence.

TWELVE MONTHS IN PRISON

John L. Sullivan, the Champion Slugger of the Universe, Will Don the Stripes.

Mississippi Justice May Be Lax on Murderers and Lynchers, but It Means Business When Applied to Famous Prize-Fighters.

Pleas for Clemency Have No Perceptible Effect Upon Judge Terrell's Mind.

The Case to Be Appealed to the Supreme Court -How the Champion Took His Medicine-Preparing to Jump His Bond in the End.

PURVIS, Miss., Aug. 17.-Court did not open until nearly 9 o'clock this morning. Judge Terrell was on hand long before that time, and Sullivan was also seated before the bar, showing up with Clune before his attorney came to court. He looked as pleasant and unconcerned as usual, although there was a tremble in his eye after the petit jury was seated and 'he glanced over at the men who had found him guilty. The crowd in the court was small, but grew larger in a few minutes, for hardly was the court seated when the grand jury filed in. They presented one indictment to be recorded and filed out again. The Sullivan case was then taken up. Judge Calhoun submitted the motion in arrest of judgment without argument. The papers had been left at the hotel, however, and the case went over to Friday. District Attorney Neville called the case of John Fitzpatrick. The district attorney read the indictment. He then asked "What say you, guilty or not guilty."

"Guilty," quietly answered Mr. Fitzpat-

District Attorney Neville then addressed the court, reviewing Fitzpatrick's connection with the fight and the circumstances under which he became referee, and closed by saying that he felt justified in recommend-

saying that he felt justified in recommending the accused to the court's clemency. Captain Fitzpatrick also made a statement in his own behalf, and concluded by asking the court to be as lenient as possible. The court reserved its decision at the time.

The Sullivan matter was taken up again, and Mr. Green read the motion in arrest of judgment. The court rejected the motion after reading its contents. Mr. Green then submitted a motion for a new trial, and asked for an immediate decision, without argument from counsel. The following were the grounds of the motion:

1. Because the court erred in charging

ing were the grounds of the motion:

1. Because the court erred in charging the grand jury a second time of its own action, and without the request of the grand jury, and in giving the second charge in the language stated. 2. The court erred in sustaining the demurrers to defendant's several pleas in abatement. 3. The court erred in overruling defendant's challenge for cause of jurors Landrum and Abner. 4. The court erred in permitting the district attorney to interrogate jurors on their views in the presence of the venire as to the fact of the prize-fight with their knowledge. 5. The court erred in granting each and every one of the instructions given in behalf of the State. 6. The court erred in refusing to grant instructions asked for by defense and in modifying some given. 7. The court erred in permitting the district attorney in his closing argument to the jury to appeal to the prisoner's prejudices and patriotism of the jury. 8. The court erred in overruling the motion in arrest of judgment. 9. The court erred in permitting witness Hinton to answer the leading question of the district attorney as to the remarks made by the crowd. 10. The court erred in permitting Hinton's testimony about the remarks made by the crowd about the bet. 11. The court erred in permitting witness Hinton to answer as to Jake Kilrain's name and how he knew it.

Judge Terrell asked if there was anything further in the Sullivan matter. Judge Calhoun asked if the motion for a new trial stood overruled. The court re-

new trial stood overruled. The court replied in the affirmative.

Judge Calhoun asked that, by an agreement with the district attorney, sixty days be allowed in which to file the bills of exceeption. He also announced that General Ford would read a petition for clemency which was signed by the grand jury and petit jurors, and the best citizens of the vicinity. He also intended to make a few remarks, and thought that his client also desired to make a statement. "Very well," answered the court, and Mr. Ford then read the following:

The undersigned, members of the grand jury.

The undersigned, members of the grand jury, impaneled at the present term of the court, and of the petit jury, who tried the State vs. John L. Sullivan, convicted of prize-fighting, respectfully show to the court that, in view of the fact this State, and for other reasons, they respectfully recommend and request that your Honor will impose no higher penalty than a fine of \$1.000, and that no imprisonment be inflicted.

Ed Davis was the only petit juror who re-fused to sign. The grand jurors all signed it, as also did all the merchants in the city and a number of farmers round about, as well as the sheriff, clerk and other officers of the court, the justice of the peace before whom the case was first tried and many others. General Ford supplemented the petition by a few remarks. He said that he had had opportunity to learn public feeling and sentiment in the matter, and with-out a single exception it seemed to be the desire that the court exercise as great a degree of clemency as possible. The universal desire seems to be that his Honor do not impose any imprisonment. It is the first violation of the statute of 1882, and the court could very well impose a fine not exceeding a thousand dollars. Ninety-nine people of every hundred in the State would feel gratified if only a fine is imposed. It has been demonstrated that the power of the State and the arm of the law were adequate to bring the defendant to justice and secure a conviction and t seems from all the history of the case that the defendant should be adjudged to pay a fine. That was the sentiment of the

State, the press and the people. Judge Calhoun also desired to say some-thing in Sullivan's behalf, and proceeded with an argument of similar purport to that made by Mr. Ford. He referred to the action of the English courts which have a reputation for upholding the law. The sentence for prize-fighting usually imposed by them was three days' imprisonment. There was only one exception that he knew of—a man died in the ring. The question was what killed him. The verdict was that the fighter died from overexer-tion, not from blows, and the court sentenced his opponent to six months in jail. In conclusion, Judge Calhoun appealed for

clemency of the court. There was a pause. The defense was waiting for the court and the court waited to hear if anything more was to be said.

There was a stir in the audience when the silence was broken by Sullivan himself.

The champion turned up before the bar and speaking in a loud, clear and steady

"Your Honor, I desire to make a few remarks. can only ask for your elemency in this matter. my counsel told you, I was ignorant of the law. I am not as oratorical as the distinguished district attorney on my right or my counsel who have addressed you, and therefore I beg to remark that I am your humble servant, John L.

Sullivan sat down and looked at the sullivan sat down and looked at the court, waiting his doom. There was another pause, the silence was so deep that an occasional whisper was heard as distinctly as an uproar in the dead of night. Judge Terrel, after a moment or two, asked for the petition presented by General Ford. It was an appeal for mercy, and the fact that the court select for it was and the fact that the court asked for it was construed as a good omen. After a few minutes' inspection he folded the paper carefully, laid it on the table, shaded his eyes with his hand and his brow wrinkled as if meditating deeply. Every eye was fixed upon him, even Sullivan leaned forward and watched the Judge anxiously. He broke the silence by saying, in his quiet way: "Stand up, Sullivan." The court did not say "Mr. Sullivan." this time, Sullivan stood up quiekly. He threw out his chest, looked the court full in